

good military strategy for China and Russia, but the budget doesn't support that strategy. As a result, I am worried that deterrence will fail maybe today or maybe 5 years from now, and when it does, the cost will be much higher than any investment we would make today.

We have made a sacred compact with our servicemembers. We tell them that we will take care of them and take care of their families. We do that very well, but we also tell them that we will give them the tools to defend the Nation and to come home safely, but we are not holding up that end of the bargain. With this proposed budget and the prospects of further cuts, we are failing to give them the resources they need.

We can't simply spend our way out of our military problems, but we can spend too little to give ourselves a chance. We have seen the high cost of underinvesting in the military. Underfunding in the military tempts our adversaries, raises doubts in our allies, and makes war more, not less, likely.

So we need to make a generational investment in our defenses so that our children and grandchildren don't have to, and we are not doing that now.

We have a lot of impatient people right now who want to vote.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 171, J. Nellie Liang, of Maryland, to be an Under Secretary of the Treasury.

Charles E. Schumer, Mazie K. Hirono, Sheldon Whitehouse, Ben Ray Lujan, Jon Ossoff, Tim Kaine, Benjamin L. Cardin, Margaret Wood Hassan, Tammy Duckworth, Patrick J. Leahy, Tammy Baldwin, Debbie Stabenow, Amy Klobuchar, Mark R. Warner, Patty Murray, Elizabeth Warren.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of J. Nellie Liang, of Maryland, to be an Under Secretary of the Treasury, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

The yeas and nays resulted—yeas 72, nays 27, as follows:

[Rollcall Vote No. 262 Ex.]

YEAS—72

Baldwin	Blunt	Burr
Bennet	Booker	Cantwell
Blumenthal	Brown	Capito

Cardin	Johnson	Romney
Carper	Kaine	Rosen
Casey	Kelly	Rounds
Cassidy	King	Sanders
Collins	Klobuchar	Schatz
Coons	Leahy	Schumer
Cornyn	Lujan	Shaheen
Cortez Masto	Manchin	Sinema
Crapo	Marky	Smith
Daines	McConnell	Stabenow
Duckworth	Merkley	Tester
Durbin	Moran	Thune
Feinstein	Murkowski	Toomey
Fischer	Murphy	Van Hollen
Gillibrand	Murray	Warner
Grassley	Ossoff	Warnock
Hassan	Padilla	Warren
Heinrich	Peters	Whitehouse
Hickenlooper	Portman	Wicker
Hirono	Reed	Wyden
Hyde-Smith	Risch	Young

NAYS—27

Barrasso	Hawley	Paul
Blackburn	Hoeven	Rubio
Boozman	Inhofe	Sasse
Braun	Kennedy	Scott (FL)
Cotton	Lankford	Scott (SC)
Cramer	Lee	Shelby
Cruz	Lummis	Sullivan
Ernst	Marshall	Tillis
Hagerty	Menendez	Tuberville

NOT VOTING—1

Graham

(Mr. HEINRICH assumed the Chair.)

(Ms. SMITH assumed the Chair.)

The PRESIDING OFFICER (Mr. OSSOFF). On this vote, the yeas are 72, the nays are 27.

The motion is agreed to.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 154, Donald Michael Remy, of Louisiana, to be Deputy Secretary of Veterans Affairs.

Charles E. Schumer, Ron Wyden, Mazie K. Hirono, Sheldon Whitehouse, Ben Ray Lujan, Jon Ossoff, Tim Kaine, Benjamin L. Cardin, Margaret Wood Hassan, Tammy Duckworth, Patrick J. Leahy, Tammy Baldwin, Debbie Stabenow, Amy Klobuchar, Mark R. Warner, Patty Murray, Elizabeth Warren.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Donald Michael Remy, of Louisiana, to be Deputy Secretary of Veterans Affairs, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Wisconsin (Mr. JOHNSON).

The yeas and nays resulted—yeas 90, nays 8, as follows:

[Rollcall Vote No. 263 Ex.]

YEAS—90

Baldwin	Grassley	Peters
Barrasso	Hassan	Portman
Bennet	Heinrich	Reed
Blumenthal	Hickenlooper	Risch
Blunt	Hirono	Romney
Booker	Hoeven	Rosen
Boozman	Hyde-Smith	Rounds
Braun	Inhofe	Rubio
Brown	Kaine	Sanders
Burr	Kelly	Sasse
Cantwell	Kennedy	Schatz
Capito	King	Schumer
Cardin	Klobuchar	Scott (SC)
Carper	Leahy	Shaheen
Casey	Lee	Sinema
Cassidy	Lujan	Smith
Collins	Lummis	Stabenow
Coons	Manchin	Sullivan
Cornyn	Marky	Tester
Cortez Masto	Marshall	Thune
Cotton	McConnell	Tillis
Cramer	Menendez	Toomey
Crapo	Merkley	Tuberville
Cruz	Moran	Van Hollen
Daines	Murkowski	Warner
Duckworth	Murphy	Warnock
Durbin	Murray	Warren
Feinstein	Ossoff	Whitehouse
Fischer	Padilla	Wyden
Gillibrand	Paul	Young

NAYS—8

Blackburn	Hawley	Shelby
Ernst	Lankford	Wicker
Hagerty	Scott (FL)	

NOT VOTING—2

Graham Johnson

The PRESIDING OFFICER (Mr. KELLY). On this vote, the yeas are 90, the nays are 8.

The motion is agreed to.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENT

Mr. SCHUMER. Mr. President, I ask unanimous consent that at a time to be determined by the majority leader in consultation with the Republican leader, the Senate proceed to the immediate consideration of H.R. 1652, which was received from the House and is at the desk, and that the only amendment in order be the following: Toomey No. 2121; further, that there be 2 hours for debate equally divided between the leaders or their designees; that upon the use or yielding back of time, the Senate vote in relation to the Toomey amendment; that upon the disposition of the Toomey amendment, the bill, as amended, if amended, be considered read a third time; that the Senate vote on passage of the bill, as amended, if amended, with a 60 affirmative vote threshold required for passage; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; finally, that there be 2 minutes of debate equally divided prior to each vote in the series.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

UNANIMOUS CONSENT REQUEST—S. 1520

Mrs. GILLIBRAND. I rise today to call for every Senator to have a chance to consider and cast a vote on the Military Justice Improvement and Increasing Prevention Act. This bill would ensure that people in the military who

have been subject to sexual assault or other serious crimes get the justice they deserve.

I know that my colleague from Oklahoma, the ranking member of the Committee on Armed Services, reached out to our military chiefs for their thoughts on this bill. While there was, as Army GEN James McConville wrote, recognition “that there are concerns with the way our current process pursues justice for major crimes,” I understand that they also have concerns about this legislation, and I would like to allay those concerns today.

More broadly, the service chiefs’ letters all seem to indicate a misunderstanding of how fundamental this change would be. Marine Corps Gen. David Berger, for instance, wrote that the bill “appears to create a more complex system that could potentially slow the military justice process.” Space Force Gen. John Raymond wrote that “the proposed changes add a layer of complexity that needs to be fully understood.”

This bill would streamline, not complicate, the military justice process. The lawyers who would be making these prosecution decisions under our legislation are already working on these very cases.

Navy ADM Michael Gilday expressed concern that “large scale removal of commanders’ authority could cause sailors to doubt the capabilities of their commanders or to believe that their commanders operate without the full trust of their superiors.”

That worry is unfounded. Iraq and Afghanistan Veterans of America surveyed their members—recent veterans—and 77 percent said that moving a serious crime like sexual assault out of the chain of command would have no impact on their view of the commander’s authority. Nearly 1 in 10 said that the change would lead them to view their commander as more of an authority figure.

I would point out that the IRC Chairwoman, Lynn Rosenthal, said:

The IRC rejects the motion that, by moving legal decisions about prosecution from the command structure, that commanders would have no role. It’s simply not the case. Commanders are responsible for the climates they create. They’re responsible for working to prevent sexual assault and sexual harassment, and they’re responsible for making sure that victims are protected when they come forward to report. So, the idea that they won’t have an interest in solving this problem if they are not making those technical legal decisions, we think, is simply false.

I trust that our commanders will be able to maintain their authority and maintain their investment in the welfare of the troops without being responsible for deciding these serious crimes.

General Berger put it well. He wrote:

I expect commanders to always bear responsibility for their Marines; changes like those in this bill will never relieve commanders of their duty to care for and lead their Marines, including when certain mili-

tary justice processes are removed from their control.

There were also questions about whether or not these changes were needed for all serious crimes. Admiral Gilday wrote that he had “seen no evidence that there is a lack of trust among victims for all crimes for which the punishment exceeds one year of confinement.”

There is evidence. The Department of the Air Force inspector general conducted a survey in 2020 which found that one in three Black servicemembers said they believe the military discipline system is biased against them and that three in five Black servicemembers believe they do not and will not receive the same benefit of the doubt as their White peers if they get in trouble. That level of distrust must be addressed.

General Raymond also suggested a more limited reform, writing that beyond sexual assault, “the other offenses are not as complex and do not require specialized training.” On the contrary. Crimes included in our bill, like murder, manslaughter, fraud, and extortion, all present complex cases, and they deserve to be put in the purview of trained legal experts.

As you know, Mr. President, our bill has a bright line at felonies. To be a felony, it has to be a complex crime. Our bill does not include misdemeanors.

The service chiefs’ letters also included calls to put an emphasis on preventing, rather than prosecuting, these crimes. I, too, would rather see these crimes not happen, which is why this bill includes various provisions on prevention efforts. But given the current reality, prevention is not enough. We must prosecute these serious crimes and show that there are real consequences for anyone who commits them. Doing so not only changes the culture, it will remove recidivists from the ranks, preventing them from committing more crimes.

Right now, there is a deep lack of trust in the current system and whether or not it can or will deliver justice. That is detrimental to our armed services. As General Raymond wrote, “Lack of trust and reluctance to seek justice are, in themselves, readiness issues.”

I remind my colleagues that our job is to provide oversight and accountability over the executive branch, including the armed services, and to ensure that those who serve our country in uniform are being well served by their government.

As Berger noted, if the Uniform Code of Military Justice does not adequately “promote justice” or “assist in maintaining good order and discipline,” then it must change. The current system does not adequately promote justice, and it must change. It is our duty and our obligation to do the work to change it, and this body and every Senator in it deserves to have a vote.

As if in legislative session, I ask unanimous consent that at a time to be

determined by the majority leader in consultation with the Republican leader, the Senate Armed Services Committee be discharged from further consideration of S. 1520 and the Senate proceed to its consideration; that there be 2 hours for debate equally divided in the usual form; and that upon the use or yielding back of that time, the Senate vote on the bill with no intervening action or debate.

The PRESIDING OFFICER. Is there objection.

Mr. REED. Mr. President, I object.

The PRESIDING OFFICER. The objection is heard.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Donald Michael Remy, of Louisiana, to be Deputy Secretary of Veterans Affairs.

The PRESIDING OFFICER. The Senator from Oregon.

VOTING RIGHTS

Mr. MERKLEY. Mr. President, this is a critical time for America. It is a moment in which the actions we take or don’t take will affect the very design of our government for generations to come.

Our Founders had a vision that we all are created equal. In our initial Constitution, it wasn’t fully manifested, but we have worked through several hundred years to come to that point that we recognize that every American should be able to participate in the direction of their country. We had some key moments in that national debate.

I was always fascinated that when my father was born in 1919, women couldn’t vote in America. We had all kinds of other barriers for communities of color—for Black Americans, for Native Americans—and those barriers we struck down time after time after time.

Then we came to 1965, and we said there are still so many ways that communities are trying to keep every citizen from participating in voting, and we are going to make sure that ends from this point forward.

President Johnson said that the power of the vote is the most significant tool ever developed to strike down injustice. It is a powerful tool. It is really the beating heart of our Republic, that ballot box, the ability to say: This is what I like, and this is what I don’t like. This is who I like, and this is who I don’t think will carry the policies I believe in.

At its heart, this is a vision of power flowing up from the people, not down from the powerful, but here is the problem: The powerful don’t like that vision of America, so they have many, many strategies designed to try to override that founding vision of participation. They have legions of lawyers, and they have legions of lobbyists. There are three drug lobbyists for every single Member of Congress. They